



# The Work Couch

NAVIGATING TODAY'S TRICKY PEOPLE CHALLENGES TO  
CREATE TOMORROW'S SUSTAINABLE WORKPLACES

## Episode 14 – Bereavement at work with Rosie Gill-Moss and Victoria Othen

- Ellie:** Before we jump into today's episode, we wanted to give our listeners a quick content warning. We'll be discussing bereavement and grief, including how this can affect a person's physical and mental health, as well as the impact on their working lives, which some listeners might find triggering. With that in mind, we would advise listener discretion as to whether you feel comfortable listening to this episode.
- Hi, and welcome to The Work Couch podcast, your fortnightly deep dive into all things employment. Brought to you by the award-winning employment team at law firm RPC, we discuss the whole spectrum of employment law with the emphasis firmly on people. My name is Ellie Gelder. I'm a senior editor in the Employment Equality and Engagement team here at RPC, and I will be your host as we explore the constantly evolving and consistently challenging world of employment law and all the curve balls that it brings to businesses today. We hope by the end of the podcast, you'll feel better prepared to respond to these people challenges in a practical, commercial and inclusive way. And to make sure you don't miss any of our fortnightly episodes, please do hit the like and follow button and share with a colleague.
- Now, here on The Work Couch, we don't shy away from topics that are sensitive or difficult to talk about, because we believe that listening to people's lived experiences, being empathetic and opening up conversations is vital for ensuring a happy, inclusive work culture. And today is no exception to that rule, because we're going to explore something that every one of us will unfortunately experience at some point in our lives: bereavement, and in particular, how somebody's grief can affect them at work. And most importantly, the practical things that line managers and colleagues can do to help and support people at their most difficult times. And I am absolutely delighted to be joined by a good friend of mine and the creator and host of the hugely successful [Widowed AF](#) podcast, Rosie Gill-Moss. Hi Rosie.
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- Rosie:** Hello Ellie, thank you so much for having me on today.
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- Ellie:** Thank you so much for joining us. Rosie's going to tell us about her own experience of grief and also guide us through the do's and don'ts when supporting a work colleague who's going through bereavement. And I'm also thrilled to be talking to Victoria Othen, consultant employment lawyer here at RPC and part-time employment judge, who will explain the law around time off for those affected by bereavement. So, Rosie, if I can start with you. Can you please tell our listeners a bit about your story and how you came to be talking about bereavement?
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- Rosie:** Yes, of course. So obviously, I mean, the name of the podcast probably gives it away. I am widowed. I am Widowed AF, as it were. And it all happened back in 2018. I was living a charmed life, for want of a better description. I had a husband, who I adored and I had three beautiful children. We'd just had our third child, Tabitha. And my husband, who was a keen and very accomplished scuba diver, had gone for a recreational dive that morning. It was the 12th of March. And he never came home. And I just never imagined that my life would turn out like that. And I was only 37. My children were seven, five, and six months old. And we were thrust into this world that we didn't know - we had no guidebook, we had no knowledge of. And it was really, really scary. And we kind of muddled through, and I found resources like WAY, ([Widowed and Young](#)), and I created a network of friends and support. And without those people, I don't know how I would have got through, particularly that really, really dark early time. Now I am remarried. I married another widow actually, widower, I should say. And his name is Jon, and we have a... lovely blended family with four children and really you know I sort of say mostly I'm happy and our life is really good but there are still complexities from the loss of Ben five years ago and from Jon's wife five years ago so I wanted to kind of become the voice that I needed back then you know to reassure people that yes it is awful and it's terrible and you're going to be

in agony but it won't always feel like that. You have to learn to coexist with happiness and sadness but you won't always be in that you know the really kind of devastating grief.

**Ellie:** Absolutely unimaginable trauma for you and your family. You mentioned Widowed and Young and I just wondered, you talked about that initial really dark period, so I just wondered who else really helped you through that initial period.

**Rosie:** Yeah, I mean, it was so Widowed and Young, which is a, they are a national support network and it tends to primarily be carried out in Facebook groups, actually, as you know, the modern world is. And I met people both virtually and in person and Lulu, who was my co-host on the podcast, I met her there and I actually met my husband through the group. But also, it was kind of finding support from local friends, you know, people that would maybe help me with the children or just bring round a meal occasionally.

**Ellie:** Mmm.

**Rosie:** I was employed at the time, but I was on maternity leave and I didn't go back. So I didn't have that sort of issue of trying to navigate going back into the workplace, but I did have to somehow run my husband's business, which was another complexity with me neither knowing anything about wood flooring or speaking French, but that's another issue.

**Ellie:** So your unique experience and your quest to help others going through the same loss and creating that voice that you needed at that time, that led you to creating the just truly inspirational podcast, Widowed AF. For anyone who hasn't come across this, it is such a brilliant resource for those who find themselves, as Rosie said, facing a completely new world that they don't have a guidebook for, don't know how to navigate it, and perhaps want to hear from others who know exactly what that's like. And I really love how you describe it: "Giving the widowed a voice in a world full of opinions" because that obviously that comes up as well, other people's opinions."

**Rosie:** Yeah, you become quite public property when you're widowed. Everybody has an opinion on how you should grieve and what you should be doing and they're kind of not afraid to tell you. I mean, I was told at my husband's memorial, not funeral, because in an added complexity his body has not ever been found. And I know, it's just an added kind of, we do describe it as bags to carry and you have a lot of bags to carry and that sort of is an extra one. But a well-meaning guest said to me, "Well, you know, you're young and attractive, you'll meet someone." I mean, at the time, I just wanted to, well, I wanted to smack them, but of course you can't do that. Yeah. And it just, I mean, the way you described it then, you probably see the massive smile on my face because when we switched on these microphones and then actual facts, it was an iPad on a towel when we first started to stop reverberation. And we had no idea that people would be so moved by these stories. because primarily we never really get the opportunity to tell our story from start to end and the impact that it had on us personally, as well as the kind of world around us. So by giving the widowed this voice, I actually expected people to come to listen to it after maybe they were about a year into their bereavement, but I've actually found quite a lot of very, as freshly widowed as I would call them, people listening. And what it's giving them is this sense of hope because every single person I've spoken to, they have seen the bottom and they have crawled back out again. And they've all got this strength about them because nobody's going to pull you out. You have to do it yourself. You need support and you need kindness and compassion, but you have to be the one to make that choice to live.

**Ellie:** Can we just look now at what that word grief actually means because there's various perceptions of what grief is, but it'd be useful to just look at the various stages of what that journey is.

**Rosie:** Yeah, so there was a book published many years ago and it described the process of grief as being quite linear. Now you then are plunged into this world and you think okay well I have to get through these stages and I'm going to work through these stages and the end result will be acceptance. The reality is not like that, it's a messy, I think I used a graphic in the presentation that I did for you guys, of just this kind of ball of string basically because I am, well I'll be six years widowed in March next year and sometimes I still can't accept that it's happened. I can't accept that he will never walk through that door again or he'll never see the children again.

**Ellie:** Mm.

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**Rosie:** So you're plunged right back into that disbelief again. And anger, you know, sometimes I'm so angry. I'm angry with him sometimes because who else can you be angry with in this situation? So the anger, the denial, they still come back up again. And I think being aware that this is going to happen makes it much less scary when it does.

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**Ellie:** Absolutely. And I think that's a really important one for other people to be aware of as well, and not thinking that, okay, well, you're okay now, and that's, you're done.

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**Rosie:** You're done!

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**Ellie:** Yeah.

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**Rosie:** And actually getting remarried, that was quite a big one. Cause I do think people sort of saw this new life and it's okay. Well that you're fixed now. That's your life now. And sometimes, I don't know, people don't want to be dragged back into your grief and you feel, I don't like to use the word burden, but you do sometimes think, oh gosh, people are sick of hearing me talk about it now. And that's what I think this, the idea of peer support and finding your tribe is really important because they won't mind if you're having a cry seven years after the loss of your person, because I don't know, you saw a shoe that looked like theirs or something. It can be so insignificant and it can just floor you. But it's interesting you say about other people because one of the things, another unexpected benefit of the podcast is people who are not in the club have been listening like yourself and they have been... so much more understanding of what people are going through and things that they might actually need rather than things that you perceive they might need.

So it's become almost like a little guide for people supporting widows as well. There's a lot of sadness in there, so people might find it difficult to listen to every episode but you can find ones that relate to the circumstances that you're going through.

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**Ellie:** And appreciating that everyone is different and not to generalise, but I think it would be useful to talk about some of the emotions that they might be feeling in their grief.

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**Rosie:** Yeah, and they're not always pretty, Ellie, they're not. People know you're going to cry and you're going to be sad and you might be depressed or have a little too much to drink. But actually, there is so much anger and bitterness. And that can come out, we can lash out and be kind of... The way I describe it is you're almost like you're a cornered animal and you feel a bit spiky and scratchy and... can be quite reactive. So going back into a work environment, that can cause problems, friendships. I mean, you know, I've stormed out of WhatsApp groups many a time.

So and also you've got the risk of, you know, really kind of deep, deep depression, you know, people sinking into very deep holes and not really knowing how to get back out again. And you come with, it ties in with addiction. You know, people turn to any sort of coping mechanism when they're grieving. And that might be alcohol, shopping, drugs, sex, it could be work. It's just, again, it's very difficult when you're outside of this, because how do you know what's a healthy coping mechanism or something they're just leaning into temporarily and when it becomes a problem? And I suppose that's where the open dialogue comes in and you know, being able to talk to people quite frankly, if you think that their behaviour is perhaps becoming unhealthy, but without judgment. And it is a tightrope, it really is. And it's one I walk by myself and I'm, you know, talking to other people, because sometimes I can see there might be a problem, but I also know how difficult it is to broach that subject with somebody that's feeling very defensive.

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**Ellie:** Absolutely. And that is going to affect somebody's physical and mental wellbeing and then undoubtedly affect how they are at work.

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**Rosie:** Yeah.

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**Ellie:** And you've spoken to so many people now about their grief journeys. I think you're at 54 episodes

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**Rosie:** Yeah.

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**Ellie:** now, which is amazing. I just wondered, from all your conversations, what sort of steps that people have taken that have really helped them heal from their trauma.

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**Rosie:** I mean, the big one is therapy. And I was a therapy avoider. I felt, I had a fairly negative experience early on and it put me off. And I then felt that this Pandora's box was locked up nice and tightly. Everything was stored in there. And if we opened it, we'd never get it closed. So I was very much, I kept myself busy. I've spoken publicly, I had a problem with alcohol. I ran from my feelings. I literally ran from my feelings. I trained, and did a marathon. I mean, that... So I like to get that in any interview

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**Ellie:** Well, I think you absolutely should get that in, Rosie, frankly.

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**Rosie:** But it was literally out running the demons and it's, you've got, I now I'm in a much better place and I've been in therapy for two years. People, the other barrier that you see is sometimes you'll say, well, it's so expensive because it is, it isn't cheap. But if you reframe it in terms of, bottle of wine a night or a takeaway. Most people, and even that's something that people can do to support, that work could do, friends can do, can offer to subsidise therapy because having a place where you go in and you close the door and it's just private and it took me several months to really open up and it isn't easy. It's called work for a reason. You're working on yourself because it's hard and I've had to be walked into there sometimes. I've refused to go sometimes but on the whole week after week I turn up. And talking to anybody, it doesn't have to be a paid therapist. There is a theory actually, that vocalising shame and kind of darker thoughts, even just to yourself out loud, helps them to dissipate. So, I mean, I don't have any evidence to back that up, but I'm sure there's a truth in it.

Yeah. And things like it's really difficult to give advice, like get some exercise, you know, do some meditation, fresh air when you're in the grips of grief. But they do help and several people I know have got dogs and they take the dog for a walk in the morning and I messaged you this morning and said "I'm going for a run to escape the children" because it's that physical exercise in the blue skies. So yeah, I mean primarily it would be talking I think and finding like-minded people because you don't feel like the unloved troll if you've got a tribe around you.

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**Ellie:** Absolutely.

So we've heard what the grief experience is, how it can feel and the impact that can have on somebody's health. And that leads me on to the question of what can employers do to support someone who's bereaved? So Victoria, if I can bring you in now, what is the law on time off for someone who is bereaved?

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**Victoria:** Hi, Ellie. So I think firstly, I'm really glad that we're discussing this today because it's something that will come up in the workplace. Everyone at some point will lose someone that they love. And the trauma of grief is often something which employers and employees find really difficult to discuss. I think everyone finds it difficult to discuss because words just don't seem adequate a lot of the time.

But there are practical issues that need addressing really quickly and it will help if employers are aware of the legal framework. So they can be proactive and supportive with empathy and sensitivity, of course, rather than kind of panicking because they feel unsure or under pressure at the relevant time. So a grieving employee will be facing a number of worries. There could be all the stress of arranging a funeral or new caring responsibilities, perhaps financial worries, and the really time consuming and draining job of death admin, as it's called. So as Rosie says, this is new, really new country that there's no map or guide for. And as far as the law is concerned, anyone who is an employee is entitled to time off if a dependant dies.

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**Ellie:** So when you say dependant, that means or that includes somebody's wife or husband or civil partner or partner, or it could be their child or their parent.

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**Victoria:** Yeah, that's right. It could include anyone who lives in the household, excluding tenants, lodgers or employees, of course, or it could extend to a person who relies on them, perhaps, for example, an elderly neighbour. But crucially, there's no right for that time off to be paid. There's also no definition of how much time off people can take, just that it should be reasonable. And that's obviously open to interpretation but it would normally mean time off to attend or to arrange a funeral. So if the person who has died was not a dependant, there is no legal right to take time off. So in that case, it's up to an employer as to whether or not they'll allow time off, whether it's paid or unpaid.

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**Ellie:** Okay, so the law doesn't require employers to provide paid time off. So bereaved employees will be looking to their employer for discretionary paid leave.

**Victoria:** Yeah, so the first question really would be whether an employer has a bereavement policy. That would stipulate when bereavement leave and sometimes that's called compassionate leave or special leave, when that can be taken, how long for and as you say importantly the amount of pay that they can receive during such leave. If there isn't a policy, it's a matter for an employer to discuss these questions with the employee, which obviously could be difficult at the time, very, very difficult to address in the stress of the moment. In some cases, the time off could be treated as sick leave or perhaps holiday if the employee asks for this. It's really essential though, for any approach to be taken, for it to be applied consistently so that no one's treated more or less favourably in the same circumstances. And also, we'd also really encourage employers to make, confirm everything in writing, just so there's no crossed wires, you know, memories can fray in these circumstances. I would say here that also, also that most employers will provide a certain amount of paid compassionate leave. The length of this will obviously depend on whether or not the person who has died was the employee's dependant.

**Ellie:** And there are some exceptions here though, aren't there? So just tell us a bit about those.

**Victoria:** Yeah, there's some really important exceptions and they're often unknown. The first of these is where the employee is a parent of a child who dies under the age of 18- really distressing. In that case, they have a statutory right to parental bereavement leave of two weeks or two separate weeks at any time during the 56 weeks after the child has died. Now that leave may also be paid if the employee meets the statutory eligibility requirements. Secondly, and I know you've spoken about this on previous episodes of The Work Couch, where the employee or their partner has a stillbirth after 24 weeks of pregnancy, or where a baby dies after birth, they would be entitled to either parental bereavement leave or statutory maternity or paternity leave. Those are really individual and very distressing cases, but it's so important that employers are clear of the law in that area, just so there's no misinformation, no misunderstanding, which could cause additional stress and upset.

**Ellie:** And finally, just to pick up on your point about making sure decisions taken about time off are made consistently, applied consistently, it's also important to point out that employers must not discriminate against employees when deciding about their time off.

**Victoria:** Yeah, that's really essential, Ellie. So for example, refusing an employee time off to attend a religious ceremony after death, that could constitute indirect religious discrimination.

**Ellie:** So Rosie, as we've heard there from Victoria, the reality is that the law currently offers very limited support. So what else can employers do? Because we've spoken to others on The Work Couch who have faced other types of very difficult experience and they've said that the actions their employer took to support them through that, it not only helped their wellbeing and their recovery, but actually it's instilled a real sense of loyalty and appreciation, which ultimately leads them to staying with that employer. So it really makes sense for employers to get this support right, doesn't it?

**Rosie:** Yeah, before we came on mic actually, I was just having a quick chat with my alive husband. And I was saying we were talking about this about the kind of loyalty that you breed if you treat your staff well and my fairly large experience of talking to widows and we're a fairly loyal bunch actually and the people that take care of us we do remember this and I think I said previously in the presentation that the employee you get back is not the one that left. They're different and yes, there's going to be some negatives because they're going to be quite fragile, but they also come with a kind of new skill set. And we are tough and we can work fast because we're used to juggling many, many deadlines. And like you said, that loyalty that will be there if you're taken care of.

**Ellie:** And so in terms of practicalities, we talked about the fact that grief is not a linear process and how people really need to understand that, understand the fact that you are not the same person that you were before the death happened. What are the kind of other things that employers need to be aware of? Obviously, after someone dies, you have a huge amount of admin to do. And which takes up time and emotion and all the rest of it.

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- Rosie:** And that's the thing I think people don't always appreciate is every time you make a call during your death admin, you have to relay the story of what happened. And there are some very good services such as the Government's "[Tell us once](#)" service, but when you have a complex death, for example, like I did, that doesn't work. And just having to repeatedly make phone calls. And I did a list and it was just kind of scrolling, you know, of all the people you have to tell and so this is why time off is so important and flexible working and staggered returns to work. But one of the things that I think is a really valuable asset would be to perhaps appoint an advocate or a spokesperson, somebody that could speak on their behalf if they perhaps can't. Somebody that they could have a sort of less formal relationship, they could perhaps text them, you know, if they're having a bad day and they could pass it on.
- A lot of it comes down to communication. If somebody feels able to express that they're struggling, then... they're going to express it and get help instead of continuing. We have toyed with this idea of sort of coloured bands, you know, that you could perhaps wear a black band or a red band or something if you didn't want to talk about it, because that's the other thing. Some people will come back to work and they will want to talk about it. Others will be coming back and it's a complete escape and they don't want to. So just having maybe a visual reminder or to let people know, but I think primarily I think having somebody that can advocate for you when you return to work would be really helpful.
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- Ellie:** And going back to that sort of visual cue of whether somebody does or doesn't want to talk, I think can be really helpful for colleagues. And I know you say it's really important not to ignore it.
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- Rosie:** Yes, that's the other thing of course, if you're coming back to work and your partner or somebody very close to you has died and people don't acknowledge that, that can be very painful. But that's the benefit of having a conversation with somebody before is, do you want us to acknowledge it? How much interaction do you want to have on this? And getting them to put down their boundaries because as I mentioned earlier, I have been public property. I know when I was doing the school run, initially I was doing it a little bit early or a little bit later so I didn't have to walk through the playground and have those pitying stares. And eventually you put your big girl pants on and you do it and it's never as bad as you think it's going to be. But that feeling of kind of being looked at is quite scary.
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- Ellie:** Mm. And being flexible, like you mentioned, flexibility in order to accommodate that as well. So that might involve arriving at work later or working remotely or whatever that is.
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- Rosie:** And of course, often if there's children involved, this person is now the solo parent, and whereas they may have had somebody that was able to do school pickups and things like this, they may now have to be juggling that as well, and they might be the primary earner, they're terrified of losing their job, and you just feel like you're being pulled into a million different directions and that you're not quite able to do any of them properly.
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- Ellie:** Yeah, absolutely. It's being aware of the fact that everything's changed and including childcare commitments and all the rest of it. And I think also your point about increasing awareness and you've spoken brilliantly to RPC about this topic where we ran an internal webinar and it was really lovely because I think it was sort of a really safe space and a nice way for people to ask questions.
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- Rosie:** And they did, didn't they? They asked quite kind of personal questions as well. I was quite impressed with people's...
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- Ellie:** Yeah. Well, I think it was giving them that opportunity to talk about it, as you've said, the importance of talking. And it was just a really nice opportunity for them to actually say, and then for colleagues to learn about that as well.
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- Rosie:** And I think it's a really valuable thing that you did by offering people the space to learn about it because as you say, if you haven't been affected directly yourself, you don't think about things like this. Why would you? I never thought about the millions of phone calls I would have to make.
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- Ellie:** Absolutely. I think what you're doing is fantastic and I would urge anyone to listen to your podcast to find out more, Rosie thank you so much for sharing your experience so bravely and so articulately. It's been a privilege to hear from you.

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<b>Rosie:</b>	Oh, thank you so much. Thank you for being such a big fan of the show.
<b>Ellie:</b>	Oh, absolutely. And thank you so much, Victoria, as well for explaining the law so succinctly as well, because that's obviously very important. But as Rosie said, so much more that you can do over and above the law.
<b>Ellie:</b>	If you would like to revisit anything we discussed today, you can access transcripts of every episode of the Work Couch podcast by going to our website, <a href="http://www.rpc.co.uk/theworkcouch">www.rpc.co.uk/theworkcouch</a> . Or if you have questions for me or any of our speakers or perhaps suggestions of topics you'd like us to cover in future episode of The Work Couch, please get in touch by emailing us at <a href="mailto:theworkcouch@rpc.co.uk">theworkcouch@rpc.co.uk</a> . We'd really love to hear from you. And thank you all for listening and we hope you'll join us again in two weeks.



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